

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 05-165 (1) (RHK/AJB)

Plaintiff,

ORDER

v.

Edward Moore,

Defendant.

Before the Court is Defendant's pro se letter/motion seeking to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2) based on the Fair Sentencing Act and amendments to the Sentencing Guidelines lowering the base offense level for certain cocaine-based offenses. Because Defendant was determined to be a career offender, the recent Guidelines amendment has not altered his Guidelines range of imprisonment. Accordingly, his Motion will be denied.

Defendant also claims that he received ineffective assistance of counsel for counsel's failure to appeal the Court's denial of a sentence reduction pursuant to Section 3582(c). But an appeal was filed and the Eighth Circuit affirmed. Accordingly, this Motion must also be denied.

Defendant also seeks copies of official record transcripts. A review of the file indicates that Defendant has been furnished with copies of all filings in this matter, either by counsel or by the Clerk of Court. This Motion will also be denied.

Finally, Appellant seeks credit for time served, asserting that the Bureau of Prisons has not properly computed his sentence. Defendant has not exhausted his administrative remedies with the Bureau of Prisons, which he must do before bringing it to the Court.

Based on the foregoing, and all the files, records and proceedings herein,
IT IS ORDERED:

1. Defendant's Pro Se Motion for Reduction of Sentence (Doc. No. 84) is
DENIED;

2. Defendant's Pro Se Motion of Ineffective Counsel (Doc. No. 85) is
DENIED;

3. Defendant's Pro Se Motion for Copy of the Official Record Transcripts of the Case (Doc. No. 86) is **DENIED;** and

4. Defendant's Pro Se Motion in Request of Credit for Time Served (Doc. No. 87) is **DENIED.**

Dated: March 4, 2013

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge